

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORBITAL PUBLISHING GROUP, INC.,

Plaintiff,

- against -

BANK OF AMERICA, N.A.,

Defendant.

USDC SDNY
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DATE FILED: 2/2/12

Case No.: 11 CV 3065 (PAC)

CLERK'S CERTIFICATE

I, Ruby J. Krajick, Clerk of the United States District Court for the Southern District of New York, do hereby certify that this action was commenced on May 5, 2011 with the filing of a summons and complaint; and an answer to the complaint with counterclaims was served by mail on July 15, 2011 on plaintiff's attorneys and also was served by ECF by the filing of defendant's answer and counterclaims with a certificate of service filed on July 15, 2011.

I further certify that the docket entries indicate that plaintiff has not filed an answer or otherwise moved with respect to the counterclaims herein. The default of plaintiff is hereby noted.

Dated: New York, New York
February 2, 2012

Ruby S. Krajick
- CLERK
By: [Signature]
DEPUTY CLERK